

13281 U.S. PTO  
102903

# UTILITY PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. §1.53(b)

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window, Mail Stop Patent Application  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Case Docket No.: CI-7497 U.S. PTO  
10/695251

Sir:  
Transmitted herewith for filing is the patent application of  
INVENTOR OR APPLICATION IDENTIFIER: Martin MacPHEE, William DROHAN, Randall KENT, Tom LYNCH, Glenn  
CALVERT, Shirley MIEKKA, David MANN and Wilson BURGESS

FOR: METHODS FOR STERILIZING BIOLOGICAL MATERIALS BY MULTIPLE RATES

Enclosed are:

1. ☒ 165 pages of specification, claims, abstract
2. ☐ \_\_\_\_\_ sheets of FORMAL drawings.
3. ☒ 3 pages of Declaration & Power of Attorney (copy from a prior application).  
☒ Incorporation By Reference-The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.  
☒ This is a ☒ Continuation or ☐ Divisional of prior application No. 10/197,248, filed on July 18, 2002, entitled METHODS FOR STERILIZING BIOLOGICAL MATERIALS BY MULTIPLE RATES
4. ☒ An Information Disclosure Statement and PTO 1449 Form are submitted herewith.
5. ☐ Cancel claims \_\_\_\_\_.
6. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 5 above:

CLAIMS AS FILED					
For	No. Filed		No. Extra	Rate	Fee
Total Claims	212	- 20	192	X \$9.00	\$1728.00
Indep. Claims	1	- 3	0	X \$43.00	\$ 0.00
Multiple Dependent Claims (If applicable) add \$145.					\$ 145.00
BASIC FEE					\$ 385.00
PETITION FEE					\$ 130.00
TOTAL FILING FEE					\$2388.00

7. ☐ Preliminary Amendment is enclosed.
8. ☒ Applicant claims Small Entity status.
- 9a. ☒ A check in the amount of \$ 2388.00 (Check # 10506) is attached.
- 9b. ☐ Please charge my Deposit Account No. 16-0607 in the amount of \$\_\_\_\_. A duplicate copy of this sheet is enclosed.
- 9c. ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0607. A duplicate copy is enclosed.
- ☐ Any additional filing fees required under 37 C.F.R. 1.16.
- 10a. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application No. \_\_\_\_\_ or credit any overpayment to Deposit Account No. 16-0607.

10b. ☒ Authorization under 37 C.F.R. §1.136(a)(3).

11a. ☒ Amend the specification by inserting before the first line the sentence:

--This application is a Continuation of Application No. 10/197,248 filed July 18, 2002, which is a Continuation-in-part (CIP) of prior application No. 09/973,958, filed October 11, 2001, which is a continuation-in-part of PCT Appln. No. PCT/US01/09361, filed March 23, 2001. Incorporation By Reference-The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.--

11b. ☐ Amend the specification by inserting before the first line the sentence:

--This application is a Divisional of Application No. filed .--

12. ☐ Priority of Application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_, in \_\_\_\_\_ is claimed under 35 U.S.C. 119. The certified priority document(s) were filed in Serial No. \_\_\_\_\_ on \_\_\_\_\_.

13. ☒ The prior application is assigned of record to Clearant, Inc. at Reel 013369, Frame 0216.

14. ☒ The power of attorney in the prior application is to:

FLESHNER & KIM, LLP

15. ☒ Two (2) return postcards.

☒ Stamp & Return with Courier.

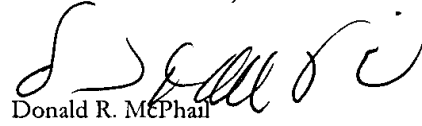
☒ Prepaid Postcard-Stamped Filing Date & Returned with Unofficial Serial Number.

16. ☒ Also enclosed:

**Petition to Make Special and requisite fee.**

17. ☐ A petition, fee and response has been filed to extend the term in the pending prior application until \_\_\_\_\_.

Respectfully submitted,  
FLESHNER & KIM, LLP



Donald R. McPhail  
Registration No. 35,811  
Timothy M. Speer  
Registration No. 47,355

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
703 502-9440

**Date: October 29, 2003**

DRM/TMS:dep

**Please direct all correspondence to Customer Number 34610**

Docket No.: CI-0039C1



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of :  
:   
Martin MacPHEE, William DROHAN, Randall :  
KENT, Tom LYNCH, Glenn CALVERT, Shirley :  
MIEKKA, David MANN and Wilson BURGESS : Group Art Unit: 1744  
:   
Serial No.: Continuation Appln. of 10/197,248 :  
Filed: October 29, 2003 : Customer No.: 34610  
For: METHODS FOR STERILIZING BIOLOGICAL MATERIALS BY  
MULTIPLE RATES


**AUTHORIZATION TO TREAT A REPLY AS INCORPORATING  
AN EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time under 37 C.F.R. 1.136(a)(3). The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 16-0607, if such fees are not otherwise provided for in such reply. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
FLESHNER & KIM, LLP

  
Donald R. McPhail  
Registration No. 35,811  
Timothy M. Speer  
Registration No. 47,355

P.O. Box 221200  
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